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#8  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re Application of:

Gabriele MULTHOFF

Serial No.: 09/646,835

Filed: 11 January 2001

For: NEW USE OF HSP70 PROTEIN

Patent Art Unit: 1642

Examiner: B. Tedeschi

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

**BOX SEQUENCE**

Assistant Commissioner for Patents  
Washington, D.C. 20231

In reply to the Notice To Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed 23 March 2001, copy attached hereto, to which the Examiner set a 30-day period for response, attached hereto is a CRF of the Sequence Listing, a paper copy of the Sequence Listing and the requisite Statement.

Further, Applicants petition for a one (1) month extension of time under 37 C.F.R. § 1.136 to extend the time for response, thereby, from 22 April 2001 to **22 May 2001**. A check for \$55.00 is provided herewith, to cover said extension. However, the Commissioner is authorized to charge Deposit Account No. 18-2220 should any additional fees be triggered by the instant submission.

Respectfully submitted,

Dean H. Nakamura  
Reg. No. 33,981

Roylance, Abrams, Berdo & Goodman, L.L.P.  
1300 19<sup>th</sup> Street, N.W., Suite 600  
Washington, D.C. 20036-2680  
(202) 659-9076  
Dated: 22 May 2001

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## Notice to Comply

Application No.

09/646835

Applicant(s)

MULHOFF, G.

Examiner

B. Tedeschi

Art Unit

1646

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: Sequence Identifiers Required for specified bases

#### Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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PATENT

40740

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gabriele MULTHOFF

Serial No.: 09/646,835

Filed: 11 January 2001

For: NEW USE OF HSP70 PROTEIN



Patent Art Unit: 1642

Examiner: B. Tedeschi

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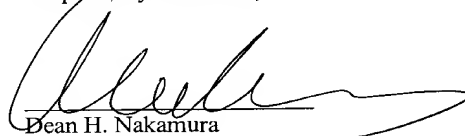
STATEMENT ACCOMPANYING REPLY UNDER 37 CFR 1.821(f) AND (g)

**BOX SEQUENCE**

Assistant Commissioner for Patents  
Washington, D.C. 20231

In accordance with 37 CFR 1.821 (f) and (g), the undersigned hereby states that there are no substantive differences between the information recorded in computer readable form and that submitted in the written sequence listing, further, said information provided therein does not include new matter which goes beyond the application as filed.

Respectfully submitted,

  
Dean H. Nakamura  
Reg. No. 33,981

Roylance, Abrams, Berdo & Goodman, L.L.P.  
1300 19<sup>th</sup> Street, N.W., Suite 600  
Washington, D.C. 20036-2680  
(202) 659-9076  
Dated: 22 May 2001

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40740

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gabriele MULTHOFF

Serial No.: 09/646,835

Filed: 11 January 2001

For: NEW USE OF HSP70 PROTEIN



Group Art Unit: 1642

Examiner: B. Tedeschi

FEE TRANSMITTAL**BOX SEQUENCE**

Assistant Commissioner for Patents  
Washington, D.C. 20231

1. BASIC FILING FEE

Fee Description	Large Entity	Small Entity
Utility Filing Fee	<input type="checkbox"/> \$710.00	<input type="checkbox"/> \$355.00
Design Filing Fee	<input type="checkbox"/> \$320.00	<input type="checkbox"/> \$160.00
Plant Filing Fee	<input type="checkbox"/> \$490.00	<input type="checkbox"/> \$245.00
Reissue Filing Fee	<input type="checkbox"/> \$710.00	<input type="checkbox"/> \$355.00
Provisional Filing Fee	<input type="checkbox"/> \$150.00	<input type="checkbox"/> \$ 75.00
<b>SUBTOTAL</b>	<b>\$</b>	<b>\$</b>

2. EXTRA CLAIM FEES

			<u>SMALL ENTITY</u>		<u>OTHER THAN A SMALL ENTITY</u>	
TOTAL CLAIMS	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	RATE	ADDIT. FEE
TOTAL	-	=	x 9 =	\$	x 18 =	\$
05/25/2001 TSUBSEP00000005 09646835	-	=	x 40 =	\$	x 80 =	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULT. DEP. CLAIM			+ 135 =	\$	+ 270 =	\$
01 FC:215			TOTAL	\$	TOTAL	\$
If the difference in Col. 1 is less than zero, enter "0" in Col. 2						
<b>SUBTOTAL</b>				<b>\$</b>		<b>\$</b>

3. EXTENSION OF TIME

Fee Description	Large Entity	Small Entity
<input type="checkbox"/> Is Not Required		
<input checked="" type="checkbox"/> One-Month Extension	<input type="checkbox"/> \$ 110.00	<input checked="" type="checkbox"/> \$ 55.00
<input type="checkbox"/> Two-Month Extension	<input type="checkbox"/> \$ 390.00	<input type="checkbox"/> \$195.00
<input type="checkbox"/> Three-Month Extension	<input type="checkbox"/> \$ 890.00	<input type="checkbox"/> \$445.00
<input type="checkbox"/> Four-Month Extension	<input type="checkbox"/> \$1,390.00	<input type="checkbox"/> \$695.00
<input type="checkbox"/> Five-Month Extension	<input type="checkbox"/> \$1,890.00	<input type="checkbox"/> \$945.00

SUBTOTAL \$ \$55.00

4. ADDITIONAL FEES

Fee Description	Large Entity	Small Entity
<input type="checkbox"/> Notice of Appeal	<input type="checkbox"/> \$ 310.00	<input type="checkbox"/> \$155.00
<input type="checkbox"/> Utility Issue Fee (or Reissue)	<input type="checkbox"/> \$1,240.00	<input type="checkbox"/> \$620.00
<input type="checkbox"/> Petitions to the Commissioner	<input type="checkbox"/> \$ 130.00	<input type="checkbox"/> \$130.00
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> \$ 180.00	<input type="checkbox"/> \$180.00
<input type="checkbox"/> Request for Continued Examination	<input type="checkbox"/> \$ 710.00	<input type="checkbox"/> \$355.00
<input type="checkbox"/> Other	<input type="checkbox"/> \$	<input type="checkbox"/> \$

SUBTOTAL \$ \$

**TOTAL FEES DUE \$ \$55.00**

5. METHOD OF PAYMENT

Payment Enclosed:

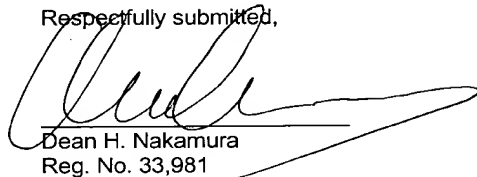
- ☒ Check  
☐ Money Order  
☐ Credit Card  
☐ Other  
☐ Deposit Account No. 18-2220.

- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 18-2220. A duplicate copy of this sheet is attached.

- ☒ Any additional excess claim fees under 37 C.F.R. § 1.16.  
☒ Any additional patent application processing fees under 37 C.F.R. § 1.17.

- ☒ Applicant claims small entity status.  
(See 37 CFR 1.27)

Respectfully submitted,

  
Dean H. Nakamura  
Reg. No. 33,981

Roylance, Abrams, Berdo & Goodman, L.L.P.  
1300 19<sup>th</sup> Street, N.W., Suite 600  
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Dated: 22 May 2001